
ENVIRONMENTAL IMPACT ASSESSMENT

When is a project exempt from environmental review?

Some projects, because of their small size or lack of potential for causing an impact on the environment, will not be subject to an environmental assessment and are classified as categorically exempt from environmental review. You will not be required to submit any additional data regarding the environmental aspects of your project if your project is categorically exempt.

The law is very specific about which projects are exempt; examples include small projects consisting of a single-family dwelling, a triplex, a minor addition to a commercial building, and signs. However, some projects which are usually exempted because of their size may nonetheless be subject to environmental review due to their location, e.g., within an earthquake hazard zone, adjacent to a stream, or within a noise impacted area such as a railroad line, freeway or major street. The staff in the Development Services Center can advise you if your project is “categorically exempt” from environmental review or not.

What happens when a project has a potential for having an environmental impact?

For projects not classified as “categorically exempt”, an Initial Study is prepared. The Initial Study is most often undertaken by City staff as part of the project review process and is intended to determine whether or not the project will have a significant impact on the environment. For example, a large housing or commercial project may significantly impact traffic on City streets. Another example may be an apartment project in an earthquake hazard zone, in which case measures must be taken to insure the apartment is not built over an earthquake fault trace. Another example is a project on a former service station site where the ground may be contaminated with gasoline.

In order for Development and Environmental Services staff to prepare the Initial Study, you need to submit or authorize the preparation of the necessary information to complete the study. This information may include traffic studies, hazardous materials studies, geotechnical reports, biological studies, and noise studies.

If the conclusion of the Initial Study is that your project as proposed will not have a significant impact on the

environment, a Negative Declaration is prepared and posted for public review at least 20 days prior to action being taken on your project by the approval authority. Persons who own and/or occupy property near your project will also have an opportunity to review the Negative Declaration for purposes of determining its adequacy.

If the Initial Study shows that the project could result in a significant impact(s) on the environment, but that the project could be modified or conditions placed on the project to mitigate the identified impacts, then a Mitigated Negative Declaration will be prepared. If either a Negative Declaration or a Mitigated Negative Declaration is prepared, the approving authority is required to take action on your project within six months from the time your application was deemed complete, including all required environmental information.

What steps are taken when a project is identified as having a significant impact on the environment?

If the results of the Initial Study indicate that your project may or will have a significant impact on the environment, an Environmental Impact Report, or EIR, will be required. If your project requires an EIR, please discuss the review process with a planner. If an EIR is required, the approving authority is required to take action on your project within one year from the time your application, including the EIR, is deemed complete (some exceptions are allowed).

Who approves environmental documents?

A Negative Declaration is approved by the Planning Director if the project itself allows for administrative approval. A Negative Declaration is posted for a minimum of 20 days and its adequacy is subject to challenge by members of the public as part of the project review process. If a project requires approval by the Planning Commission or City Council, then the Negative Declaration is adopted by that body if it is found to be adequate. If an EIR has been prepared, the adequacy of the EIR is certified by the hearing body which is the approval authority for your project.

How much does environmental review cost?

The costs of preparing an Initial Study and a Negative Declaration, is based on staff time (charges per hour) and consultant costs if consultant services are engaged in the preparation of studies. The project applicant is required to

make an initial deposit of \$750. Costs exceeding the deposit will be periodically billed during the review process. Obviously, the greater the potential for impacting the environment, the more staff time is required to review the potential impacts. Any reports prepared by outside consultants, such as traffic reports, are paid by the project applicant. If required, an EIR is prepared by an environmental consulting firm that is hired by the City with the costs of preparation and administrative processing borne by the project applicant.

Can I get additional information?

If you need additional information or if you have questions, please call (510) 494-4455.